



In August 1999, the Orlando Utilities Commission (OUC) submitted a consumptive use permit application to the St. Johns River Water Management District. That application is currently under review. The OUC's service area is in both the St. Johns River Water Management District and the South Florida Water Management District and OUC operates wellfields in both districts. As a result, interdistrict transfers of groundwater occur. Historically, the OUC has received separate CUPs from both the St. Johns Water Management District and the South Florida Water Management District.

In September 2002, the St. Johns River Water Management District issued a Preliminary Intended Agency Action on OUC's consumptive use permit application that proposed to authorize the consumptive use of water from the OUC wellfields within the St. Johns River Water Management District's jurisdiction pursuant to s. 373.2295, F.S., interdistrict transfers of groundwater. However, before the district's governing board could consider the application, the OUC submitted a waiver of statutory permitting timeframes in order to work cooperatively with both the St. Johns River Water Management District and the South Florida Water Management District toward a goal of issuance of a single system-wide permit by the St. Johns River Water Management District.<sup>1</sup>

As a result, both of the water management districts have conceptually agreed to having a single permit issued by the St. Johns River Water Management District with the South Florida Water Management District designating the St. Johns River Water Management District as the sole permitting agency.

### **III. Effect of Proposed Changes:**

This bill amends s. 373.2295, F.S., to provide that the term "interdistrict transfer and use" does not include a withdrawal and use within the same county.

Any agreement between water management districts which was entered into before the effective date of this pursuant to s. 373.046, F.S., authorizing the issuance of permits for the interdistrict withdrawal and use of water within a county shall continue in effect until otherwise rescinded.

This bill will allow the Orlando Utilities Commission to obtain a single consumptive use permit from the St. Johns River Water Management District through an agreement with the South Florida Water Management District.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

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<sup>1</sup> Memo to the St. Johns River Water Management District Governing Board from Kathryn Mennella, district's general counsel, March 7, 2003.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**V. Economic Impact and Fiscal Note:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

This bill will affect those water utilities, generally located in a single county, whose service areas are split between two water management districts. Currently, such utilities, and specifically, the Orlando Utilities Commission, must obtain a consumptive use permit from both the St. Johns Water Management District and the South Florida Water Management District. The estimated out-of-pocket cost for the Orlando Utilities Commission to apply for a permit is \$500,000. These costs include research and various studies required for the permits. Such costs are ultimately passed on the ratepayer. This will reduce those costs to the extent that only one permit application will be necessary. It is anticipated that such cost savings could be passed on the ratepayer.

**C. Government Sector Impact:**

As indicated above, only one application will be filed with one water management district for a consumptive use permit by utilities such as the Orlando Utilities Commission. This will reduce or eliminate any duplicative efforts by the water management districts involved.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Amendments:**

None.